

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 35-204

ZANDER

C# M#

Serial No. 09/836,602

Group Art Unit: 1636

Filed: April 18, 2001

Examiner:

Date: January 25, 2002

Title: USE OF CD34 OR A POLYPEPTIDE DERIVED THEREFROM AS CELL-SURFACE  
OR GENE-TRANSFER MARKERAssistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00

☐ Please enter the previously unentered , filed

☐ Submission attached

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: Notice with Regard to Small Entity Status 699.00

**TOTAL FEE ENCLOSED \$ 699.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
BJS:eaw

NIXON & VANDERHYE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 



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**ZANDER**

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For: **USE OF CD34 OR A POLYPEPTIDE DERIVED  
THEREFROM AS CELL-SURFACE OR GENE-  
TRANSFER MARKER**

\* \* \* \* \*

January 25, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

RECEIVED  
JAN 29 2002  
OFFICE OF PETITIONS

Sir:

**NOTICE WITH REGARD TO SMALL ENTITY STATUS**

The applicants note the status of the above-identified application as a small entity was established in good faith and fees as a small entity were paid in good faith however it has now been discovered that such status as a small entity was established in error. The Office is requested to excuse the error as provided in Rule 28. Pursuant thereto, the applicants submit herewith the following deficiency owed, resulting from the previous erroneous payment of small entity fees.

The following is a list of each particular type of fee that was erroneously paid as a small entity as well as a current fee amount for a non-small entity for each of these types of fees; the small entity fee actually paid; the deficiency owed for each fee erroneously paid; and the total deficiency payment owed which is the sum of the total of the individual deficiency owed amounts.

01/29/2002 SLUANG1 00000004 141140 09836602

01 FC:101		740.00 OP
02 FC:102		420.00 OP
03 FC:103	5.00 CH	193.00 OP

**ZANDER**  
**Serial No. 09/836,602**

Type of fee erroneously paid (current fee amount for non-small entity)	Small entity fee actually paid	Deficiency owed amount
Basic filing fee (\$740)	\$360	\$380
11 additional total effective claims (\$198)	\$99	\$ 99
5 additional independent claims (\$420)	\$200	\$220

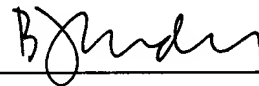
Total Deficiency Owed    \$699

The Office is requested to contact the undersigned if anything further is required in this regard.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



**B. J. Sadoff**

Reg. No. 36,663

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